

**Superior Court of Washington, County of King**

In the Guardianship of:

Respondent/s (*minors/children*)

No. \_\_\_\_\_

Order on Motion for Default

☐ ORDFL (Granted)

☐ ORDYMT (Denied)

**Clerk's Action Required: 9**

**Order on Motion for Default**

**1.** The court has considered the *Motion for Default* filed by (*name*): \_\_\_\_\_.

➤ **The Court Finds:**

**2. Response**

(*name*): \_\_\_\_\_, who is ☐ a parent or ☐ someone other than a parent who has court-ordered custody or guardianship of the child, has (*check one*):

☐ **not** filed a *Response* to the *Petition*.

☐ filed a *Response* to the *Petition*.

**3. Notice about the motion**

The person listed in section 2 (*check one*):

☐ is entitled to notice of the motion because s/he appeared or was served with the *Summons* and *Petition* more than one year ago. (*Check one*):

☐ Notice was given. The person listed in section 2 was served with the *Motion for Default* and notice of the hearing on (*date*): \_\_\_\_\_.

☐ Notice was not given. The *Motion* should be denied.

☐ is **not** entitled to notice of the *Motion for Default* because s/he has not filed a *Notice of Appearance*, has not appeared in this case in any other way, AND was served with the *Summons* and *Petition* less than one year ago.

- ☐ Notice was given even though it was not required. The person listed in section 2 was served with the *Motion for Default and notice of the hearing on (date):* \_\_\_\_\_.

#### 4. Service of Summons and Petition

- ☐ The person listed in section 2 was properly served on *(date):* \_\_\_\_\_ with a *Summons* and *Petition* for this case and any other documents listed in the proof of service filed with the court.
- ☐ Valid proof of service has **not** been filed.

#### 5. Timing and type of service

- ☐ The person listed in section 2 was served with the *Summons* and *Petition* by *(check one)*:
- ☐ personal service in Washington State, at least 21 days ago.
- ☐ personal service outside of Washington State, at least 61 days ago, because service could not be made within Washington State.
- ☐ mail, at least 91 days ago.
- ☐ Does not apply. No valid proof of service was filed.

#### 6. Correct Court (jurisdiction)

- ☐ A Washington court can decide this case because it has jurisdiction over the case and the parties. This case should be heard in this county court.
- ☐ Other *(specify)*: \_\_\_\_\_
- \_\_\_\_\_

#### 7. Active duty military

*(The **federal** Servicemembers Civil Relief Act covers:*

- *Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;*
- *National Guard or Reserve members under a call to active service for more than 30 days in a row;*
- and*
- *commissioned corps of the Public Health Service and NOAA.*

*The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)*

- ☐ The person listed in section 2 is **not** covered by the state or federal Servicemembers Civil Relief Act.
- ☐ The person listed in section 2 **is covered** by the state or federal Servicemembers Civil Relief Act. S/he *(check one)*:
- ☐ may be defaulted because:
- s/he is represented by a lawyer in this case, AND
  - s/he has not filed a Response, AND
  - the court has not granted a stay (or any stay previously granted has ended).
- ☐ may **not** be defaulted at this time.

☐ The court does not have enough information to find whether the person listed in section 2 is covered by the state or federal Servicemembers Civil Relief Act.

**8. Other findings (if any):**

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➤ **The Court Orders:**

**9.** The *Motion for Default* is (check one):

- ☐ **Granted.** The person listed in section 2, (name): \_\_\_\_\_, is in default. The court may sign orders and hold hearings in this case without notice to the defaulted person.
- ☐ **Denied.** The person listed in section 2 must still be given copies of documents filed and notice of hearings scheduled in this case.

**10. Other orders (if any):**

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**Ordered.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge or Commissioner

Presented by: ☐ Petitioner/moving party or his/her lawyer

\_\_\_\_\_  
Sign here

\_\_\_\_\_  
Print name (and WSBA No., if lawyer)